

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Attorney Docket No. 2005\_0024A  
Tsunehiro FUKUCHI et al. : **Confirmation No. 3410**  
Serial No. 10/522,603 : Group Art Unit 1655  
Filed January 26, 2005 : Examiner Catheryne Chen  
CHINESE HERB MEDICINE : **Mail Stop: AF**  
COMPOSITION IN THE FORM OF JELLY

**NOTICE OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated April 16, 2010 of the Primary Examiner finally rejecting claims 8 and 10-11.

[X] A timely response to the final rejection has been filed.

[X] The extension fee of \$360.00 for a second month extension of time is submitted together with this filing. (The fee for a first month extension was submitted with the filing of August 16, 2010.)

[X] The Appeal Fee of [X] \$540.00 (other than Small Entity)

[X] is to be charged to a credit card.

Respectfully submitted,

Tsunehiro FUKUCHI et al.

/Amy E. Schmid/

By 2010.09.16 12:29:14 -04'00'

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September 16, 2010